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12-13-02
SP

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

ROY C. JOHNSON, et al.,

Plaintiffs,

vs.

CITY OF TULSA, OKLAHOMA, a
municipal corporation,

Defendant,

and

FRATERNAL ORDER OF POLICE,
LODGE NO. 93,

Intervenor.

CASE NO. 94-CV-39-H(M) ✓

FILED
DEC 16 2002
Phil Lombardi, Clerk
U.S. DISTRICT COURT

ORDER

The Court conducted a hearing on December 11, 2002 regarding the proposed Consent Decree which has been submitted for approval by the plaintiffs and the defendant, the City of Tulsa. The Court has determined, based upon the reasons stated by the Court following the parties' arguments, and over the objections of the Fraternal Order of Police, Lodge No. 93 ("FOP"), that a fairness hearing should proceed, and that appropriate deadlines should be established in connection with the fairness process.

Following a discussion with counsel, and an agreement with respect to a proposed schedule, the Court hereby establishes and Orders that the following schedule apply in connection with the Joint Motion for Approval and Adoption of the Consent Decree, filed December 3, 2002 (Dkt. #737):

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1. **Prior to 4:30 p.m. December 13, 2002:** The City shall post the proposed Consent Decree and the Court approved Notice of Proposed Settlement of Class Action, Fairness Hearing, and Right to Object ("Notice of Proposed Settlement") on its Intranet. The City shall further place written notices on all Tulsa Police Department bulletin boards relating to the proposed settlement, the filing of objections to the settlement, and the hearing on objections. With respect to the written notice, the parties and the Court have reviewed the form of such notice and have determined it to be satisfactory.
2. **December 20, 2002:** The plaintiffs and the City shall file and serve their preliminary witness and exhibit lists.
3. **December 30, 2002:** All Tulsa Police Department officers shall receive the Notice of Proposed Settlement with their paychecks. The Court has approved the form of such Notice of Proposed Settlement.
4. **January 8, 2003:** The FOP shall file its objections to the Consent Decree, together with its preliminary witness and exhibit lists. Also by this date, the FOP shall have completed discovery with respect to the witnesses listed by the plaintiffs and the City on December 20, 2002.
5. **January 9, 2003 at 1:30 p.m.:** Status hearing to be conducted by the Court. All counsel with speaking roles are to be present. In the event that the parties desire to file any motions in limine or motions relating to evidentiary issues, such motions must be on file prior to this status hearing.


6. **January 15, 2003:** The plaintiffs and the City shall respond to the FOP's objection to the Consent Decree. The plaintiffs and the City shall also file any supplemental witness and exhibit lists responsive to the FOP's witness and exhibit lists.
7. **January 16, 2003:** Any objections to the Consent Decree, other than the objections to be filed by the FOP, must be filed.
8. **January 20, 2003:** Discovery to be completed. FOP to provide list of any supplemental or rebuttal witnesses.
9. **January 21, 2003 at 9:30 a.m.:** Fairness hearing (to continue day to day until completed). The non-jury trial previously scheduled to commence on this date and all related dates are stricken.

DATED this 16TH day of December, 2002.



Sven Erik Holmes
United States District Judge

APPROVED:



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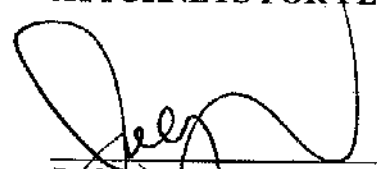
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